

The Catholic Lawyer

Volume 12
Number 4 *Volume 12, Autumn 1966, Number 4*

Article 5

December 2016

Changing Economy and the New Code of Canon Law

Charles J. Ritty, J.C.L.

Follow this and additional works at: <https://scholarship.law.stjohns.edu/tcl>



Part of the [Religion Commons](#)

Recommended Citation

Charles J. Ritty, J.C.L. (1966) "Changing Economy and the New Code of Canon Law," *The Catholic Lawyer*. Vol. 12 : No. 4 , Article 5.

Available at: <https://scholarship.law.stjohns.edu/tcl/vol12/iss4/5>

This Article is brought to you for free and open access by the Journals at St. John's Law Scholarship Repository. It has been accepted for inclusion in The Catholic Lawyer by an authorized editor of St. John's Law Scholarship Repository. For more information, please contact selbyc@stjohns.edu.

CHANGING ECONOMY AND THE NEW CODE OF CANON LAW

CHARLES J. RITTY, J.C.L.*

THE CODE OF CANON LAW promulgated in 1918 for the Western Church has had a long and glorious history. Based on the heritage of the past, it has provided direction for the Church for nearly a half century. That there is a pressing need for a new codification, no one will deny.

At present since the circumstances have changed so much—the pace of life seems to be faster—Canon Law must be revised with great prudence, that is, it must be adapted both to the new mentality of the Second Vatican Ecumenical Council, which gives great importance to pastoral activity, and to the new needs of the people of God. . . . Besides the Code of Canon Law which is the guide, the Second Vatican Ecumenical Council provides the basic strokes of the new look, so that many things only need to be established and stated precisely in greater detail and on a broader basis.

With these words, the Holy Father, Paul VI, addressed the Members and Consultors of the Pontifical Commission for the Revision of the Code of Canon Law (Nov. 20, 1965), and set the tone for the new thinking of the law for the Church.

The Second Vatican Council emphasized to the bishops of the world problems and difficulties never before envisioned. These problems brought into focus new concepts and approaches to the study of the New Law of the Church. The establishment of the Commission for the Revision of the Code of Canon Law has demanded a re-examination of the old law.

* Chancellor, Diocese of Cleveland.

The legislators will need to consider and legislate the relation of modern economics to administration and the material goods of the Church. The present study is intended to present some thoughts for consideration in the preparation of the New Law pertaining to temporalities of the Church and financial administration.

The economic growth of a nation has had, over the centuries, a marked effect upon the material goods of the Church in each country. In recent times certain patterns of economic growth and stability have become evident and recognized as distinctive aspects of nations. Because these patterns are now fairly well established, it is possible to discuss the variances within, and affecting, the material goods of the Church in a more objective manner than at any time prior to the Second Vatican Council.

Each country is so distinctive in the utilization of its economic potential that it becomes impossible to equate the financial growth of emerging nations with that of the traditionally sound economic stability of long established nations.

With a careful study of the present law of the Church concerning its material goods, in the light of modern economy, many concepts can be found to be totally impractical and antiquated; benefice, patrimony, mortgage, negotiation, assessments, "cathedraticum," and so forth, must be defined to meet the needs of our day.

Many suggestions for the revision of the Code of Canon Law have been presented by the bishops of the United States, by eminent canonists, and by religious and interested laymen. Many of these suggestions indicate that the proposed New Law should confer on the National

Conference of Bishops (*coetus episcoporum*) the power to legislate in matters concerning the temporalities of the Church. Many suggestions make reference to the employment of the talents and skills of laymen, who are proficient in material and financial matters and administration. Many request a clear definition of the powers of the local ordinary in matters of church administration, indicating that there should be a more realistic approach to these matters because the local ordinary in our day is better qualified to rule the temporalities of his diocese, and because he is conscious of the local problems, the economic affairs of state, and civil laws.

The New Law of the Church should not be simply a revision of the present statutes, but should evidence new thinking. It should be a new law entirely: new in format, new in content, with particular reference to the pastoral mission of the Church in the modern world.

The Church as founded by Jesus Christ is an organization and a visible society established for the purpose of performing duties of worship and to proclaim the Good News of the Son of God in order to bring about the eternal salvation of mankind. The Church through the years has become a complex society, acquiring many rights and duties. The Church, as a society, requires resources to perform her duties, and these resources are innate within the Church. As a visible society, the Church has the prerogative to administer material goods.

Certain inalienable rights regarding Church resources and properties are necessary for the continuation of the society. Such rights are those of dominion,

tenure of property, and administration of its possession, *e.g.*, the right to use, dispose or alienate these temporal goods. From earliest times the Church has resisted any encroachment upon these rights and guarded them carefully, and has resisted any effort from the outside to diminish or impair them. Hence, through the years, the Church (1) has legislated to protect these inalienable rights; (2) has exercised vigilance against any unjust secular legislation; and, (3) has made every effort to prevent any kind of static, unrealistic or antiquated system of administration in temporalities.

The difficulties presented in this study of the temporalities and the subject of Church property are very complex. The laws must be given an "aggiornamento" just as that given the Church itself through the efforts and legislation of the Second Vatican Council. The complexities of modern finance, international relations, fluctuation of international exchanges, the new scope of buying power of the common market, changing economic and political systems, the conflict between civil laws and the rights of the Church, all point to a need for a practical approach to the proposed legislation of the Church.

The reasons for such new legislation are a need for a practical approach of the law to present-day economy; a need to eliminate the restrictions of prior legislation; and a need to coordinate ecclesiastical law with the statutes of civil society. A study of these needs suggests a natural division of the laws concerning Church property and the temporalities of the Church. Such a division would require legislation for:

(a) The Universal Church

(b) The National Conference of Bishops

(c) The Local Ordinary.¹

The purpose of such new legislation would seem to be the following:

- (1) to establish a code of administrative practices which would assure competency and continuation of the visible society;
- (2) to safeguard the temporalities entrusted to the Church;
- (3) to protect the equitable interest of the faithful who contribute so generously to this ecclesiastical cause; and,
- (4) to guarantee and stabilize the welfare and continuation of the Church as a temporal society.

If these ends are attained, they will free the ecclesiastical administrators to pursue their mission of directing souls to their eternal destiny.

One can conclude, therefore, that three separate divisions or titles, as outlined above, are to be considered in the New Code of Canon Law concerning Church property.

General Laws for the Universal Church

These should be broad rules for the dominion of the Church, applicable to the whole Church, and designed for the needs of the Church in modern times. These should be drawn after serious consideration of conciliar legislation, the needs of religious institutes, diocesan requirements, and, at the same time, bring into

¹ In this paper when the term *Local Ordinary* is used it also refers to the Major Superior of religious institutes, and the Vicar in Mission territories.

focus the needs of the missions of the Church, and pastoral and liturgical concerns. They should be accompanied by development of specific guidelines for their application by the National Conference of Bishops and the local ordinaries.

Legislation for the National Conference of Bishops

These laws will follow the guidelines in a more specific manner. The regional code should give directives and power to the conference of local bishops to legislate for the needs of a particular nationality or country in a practical and effective manner. The bishops can be empowered to rule for their own country concerning the temporalities of the Church, and to coordinate their directives with national and civic legislation.

Legislation for the Local Ordinaries

Directives for juristic and administrative powers of the local ordinary are to be developed for specific application in his own territory. The local ordinary is in a superior position to develop and rule adaptations of the general law in matters of temporalities of the Church, more than at any other time in the history of Church law.

The Temporal Goods of the Church

The following sections will treat specific subjects concerning the temporal goods of the Church for which legislation is to be developed: Tenure of Church Property; Patrimony; Administration of Church Property, Finance, Budget, Alienation, Investments, Mortgage and Refinancing; Taxation of Church Property; Church and Civil Law; the Council of Administration, and Penalties.

Tenure of Church Property

Ecclesiastical goods are temporal goods, corporeal (both movable and immovable) and incorporeal, which belong to the Universal Church. These include both sacred and precious goods.

The Catholic Church is a moral person by Divine Law and has an innate right, independent of civil authority, to acquire, hold and administer temporal goods. The inalienable right of ownership carries with it the correlative responsibility of administration. This right is innate in any moral or juridic person in the Church. The right is as inalienable as the right of the Church to exist as a moral person founded by Jesus Christ.

This right not only has to be described and justified as a part of religious freedom but needs protection by Church law, and against the encroachment of the civil law. This right also needs internal control by means of directive laws aimed at protection from abuse by the possibility of great liabilities being levied against it by higher administration. The purpose of the law of property is to protect the juridic person in its continued existence and its religious and charitable activities. The dangers of complete discretionary power of administration need also to be controlled by law.

The Holy See is a juridic person by Divine Ordinance. Other juridic persons exist by positive law or concession of a superior. By natural and positive law, the Church, as a juridic person, has the inherent right to acquire, own, administer, and dispose of property. The right of tenure means the right to own, to use, to improve, and to make productive Church goods.

The form of the juridic person as an ecclesiastical corporation should be designed in each country according to the requirements of its civil laws, and should provide for the best interests and security of the Church and its temporal goods. This matter should be the prime concern of the *coetus episcoporum* of each nation and is to be left to its legislative power and government.

Patrimony

The concept of patrimony has various meanings in the present Code of Canon Law. In the widest sense, it refers to the rights of the Church, or of any moral person within the Church, over property. It also refers to the capacity of the moral person to acquire, possess, and administer property.

In another sense, patrimony refers to assets or permanent sources of income, such as stable and fixed capital, subject to the laws of alienation. Revenues, deriving from sources entirely outside the benefice, are also termed patrimonial.

From the fundamental capacity of possessing patrimonial goods follows the juridic capacity to perform acts referring to these goods, such as: acquisition, administration, alienation, entering into contracts, and contracting debts.

The capacity to have patrimony is not an essential or absolute prerogative of a moral person. The capacity can be denied or restricted by law or by competent authority. This subject needs clearer and more precise definition in the New Law.

(Patrimony also has a personal aspect, *e.g.*, with reference to the income of a cleric, or religious, from goods over which he has rights, which are personal and not attached to any office or ecclesiastical title.

This subject should have sufficient coverage under the title *de personis et religiosis*.)

Administration

Laws are to be established to regulate the administration of Church property. While general norms are necessary for the Universal Church, and while it is conceded that these should be promulgated by the Holy See, it is inconceivable that general norms can operate satisfactorily in each nation or diocese in the world. These regulations should be left to the *coetus episcoporum* and to the local superior or ordinary in the diocese. The ordinary is best qualified to determine the needs in his own territory. Because of the financial nature of society today, this is more evident than at any other time in the history of the Church. The ordinary knows not only the needs of his own diocese, but the financial and economic trends which are pertinent to his territory. Because of this, he is better equipped to determine the regulations which will protect the material goods of his diocese against the risks of administration, investments, financial negotiations, and adverse civil legislation. He is the best qualified to regulate, negotiate, trade and conduct business transactions which are the everyday operations of a diocese. Sudden changes in government, revolutions, national financial disasters, political cataclysms, and financial depressions may occur in any country. The local ordinary, therefore, should not be hampered in the administration of his territory by the general norms of the Church.

The laws of administration should cover two general areas:

- (a) administration of Church property;
- (b) administration of Church finance.

(a) *Administration of Church Property*

The following items are to be regulated by law:

- (1) acquisition: titles, deeds, contracts of purchase
- (2) ownership: *Usus et usufructus*
(ordinary)
- (3) administration: (extraordinary)
- (4) alienation: the right to sell or transfer, mortgage, and lease property.

All these items, as found in the present Code, need definition, modernization, and simplification. In modern civilization, the many and diverse civil law formalities of title, sale, transfer, deeds, contracts, and so forth, must be observed. It is obvious that a universal law cannot regulate these matters, in a practical manner, for the whole world.

(b) *Administration of Church Finances*

The following items are to be regulated by law:

(1) *Budget*: It is suggested that in each diocese, and perhaps even in each parish, a budget be established to administer the fiduciary operation of the territory, to protect the moneys owned by the diocese or institute, and to guarantee the proper administration of the funds which accrue through the free-will offerings of the faithful. Intelligible and regular financial reports should be available to the local ordinary. Regular internal audits by qualified persons should be made to preserve these funds against mismanagement or squandering.

(2) *Alienation*: Alienation in the

strict sense refers to the transfer of title of ownership. In the present law, it also refers to sale, exchange, mortgage, loans, or leases of more than nine years. The broad meaning of alienation in the present Code needs modernization and simplification. The term should also be restrictive. For example, it should be limited to transactions such as purchase or transfer of property or funds, contractual debt or obligation, or a fiduciary transaction which may render the financial condition of the diocese, institute, or territory less secure, or by which the financial status of the Church might become jeopardized.

Because of the changing economics, fluctuating money exchange, and varying purchasing power of money, it is inconceivable that a universal legislation can be of practical value for the local ordinary. Free juridical power must be given such local superiors in matters such as the administration of investments, annuities, endowments, trusts, funds for pious works, foundations for pious causes, mortgages, debts, loans, rentals, and sales of securities.

These financial matters should not come under the broad concept of alienation as found in the present law. In modern times, these are everyday financial operations. The legal restrictions imposed by the present universal law of the Church do not seem either practical or realistic. If proper administrative regulations are established by the *coetus episcoporum* for a country, or are made by the local ordinary, it will no longer be necessary to have recourse to the Holy See for the validity of such fiduciary negotiations. Regulation by the National Conference of

Bishops or the local ordinary can well protect the material goods of the Church and its financial operations.

Alienation may be used as a very patent example of the difference between the present and the proposed New Law.

(a) The universal laws of the Church should define strictly the meaning of alienation; establish the limits of alienation; define the requirements for validity of alienation above a certain percentage of the total net worth of the property; require the annual reports from dioceses together with audits of the operation; and, finally, declare what recourse is possible to the Holy See for such action.

Certainly, if a diocese were to go into business, operate a bank or investment firm, direct a production corporation, or mortgage the major portion of diocesan properties, these negotiations should be under the control of the Holy See.

(b) The National Conference of Bishops could define the regulations for alienation in each country. The bishops are competent to describe the limits of alienation concerning contracts, sale, exchange, mortgage, long-term debts, loans, and leases for their particular country. These regulations should be in conformity with the civil laws concerning such fiduciary transactions and would be in the best interests of the country. They could define, for example, in the case of leases or mortgages beyond twenty-five years, that only a certain percentage of the net worth of the property could be involved, without recourse to the Holy See, for validity of the transaction.

(c) The local ordinary could be empowered to regulate in his own diocese or territory all administrative actions, *e.g.*, budget, sale, lease, exchange of securities, title, mortgage, loans and leases, within the limits set by the National Conference of Bishops and the Universal Law. The local bishop should have the power to determine rates of interest, the rules for amortization and the time limit for liquidation of debts in his own territory.

It is suggested that the former law, which bases such financial actions upon the gold standard, be changed, because the financial and economic conditions of each territory or nation are not the same. A more practical approach would be to set limits based on a percentage of the net worth of the property.

(3) *Investments*: This title is limited to the act of directing the employment of funds into capital, or into claims to income, *e.g.*, rents, leases, stocks, bonds, and the conversion of money (stable capital) into income productive goods. Investment is an act of administration whereby property is made productive of income in order to support the work of the Church in Her spiritual activities. Because of the highly increased productivity of money and the resulting increased purchasing power of money today, the administration of financial investment has become a highly professional skill. The need for educated, trained, experienced, and highly skilled laymen is more important in this field than in any other act of administration of Church goods. It is certainly in this area that the directives of the Second Vatican Council can be im-

plemented by hiring or seeking the aid of trained laymen in the administration of the Church's finance. One would not anticipate that the shepherd of souls would be qualified to excel in this branch of administration.

The universal law of the Church cannot be expected to regulate matters of investment; it cannot formulate judgments of value concerning investments; it cannot establish norms for investment procedures or decisions. This is the part of administration where the layman has the right, and is both qualified and prepared, to assist and advise the local ordinary in the financial administration of properties. He can give financial advice, provide audits, prepare reports, guard against legal entanglements, and so forth. As members of the Church, the laymen have *equitable rights*, because of their free-will offerings. The fact is that the material goods of the Church belong equitably to the people of God.

(4) *Corporate Administration:* The Church frequently becomes the possessor of excess funds or properties, and, as a corporation, has the right of full dominion over these material goods. The universal law providing that such properties or funds are to be put into productive use is wise and practical. The local ordinary should have full juridical power to direct the disposition of church properties in order to derive income therefrom. The local ordinary should be empowered, together with his advisory council (which may consist of qualified laymen), to levy the sale of bonds, annuities, loans, leases, rentals, the sale of rights, debentures, contingent obligations; he should have the power to administer trusts and founda-

tions, and to enter into such contractual fiduciary negotiations which will derive profit for the corporation of the Church. Such administration is best directed by the local ordinary and his advisory council.

(5) *Mortgage:* Mortgage is a term that needs definition and specification in the law. The meaning of the term must comply with the modern meaning in civil law of the country or state. For example, the former law which forbids the mortgaging of consecrated churches or cemeteries seems impractical in the present-day economy.

The Church, as a moral juridic person, can be either the debtor or the creditor of mortgages or liens.

A general mortgage obligates all the goods or stable capital of the debtor: both present holdings and those to be acquired in the future; it requires rigid and strict regulation at law. This type of mortgage places all the goods of the debtor as security.

A special mortgage should be understood as one in which specified portions of the stable capital are offered to secure payment of a debt. This security takes the form of a lien whereby the creditor has the right to institute proceedings to sell the property of the debtor, or to use any other legal means to secure payment of the debt.

The properties of churches and institutions can be considered as fixed and stable capital, and, therefore, are eligible by law to be placed as collateral for a mortgage or loan. Proper precautions, however, must be made to protect the value and title of the property, or to preclude these sacred places from profane use, or to

avoid their falling into the hands of unscrupulous individuals.

All mortgages should no longer be considered alienation in terms of modern finance. The general type of mortgage exceeds the ordinary acts of administration and should incur the regulations of alienation of property, because it is similar to an unsecured loan. But the second, special type of mortgage, does not seem to demand the same stringent laws concerning alienation, as long as proper precautions are drawn into the contract to protect the title and security of the property. The various types of mortgages should be clearly defined according to the civil laws of the country or state. This should be left to the prudent judgment of the local ordinary.

Construction and purchase-money mortgages should also be considered. A construction mortgage is one in which a plot of ground has been purchased on which a building is to be constructed; the initial payment to begin construction comes from non-stable capital and the amortization comes from the current revenue. A purchase-money mortgage is one in which the initial payment for the property comes from the non-stable capital and the amortization and interest payments come from current revenue. The necessity of recourse to the Holy See does not appear practical in legislation for these types of mortgages.

Laws directing the acts of foreclosure, and foreclosure sales of properties must also be regulated in a similar way.

In conclusion: except for the general mortgage, a mortgage should no longer be considered as alienation by the new legislation.

(6) *Refinancing*: Refinancing is often an act of prudent administration. Its purpose is usually to exchange creditors in order to secure more favorable interest rates or conditions of contract. Refinancing should be regulated by law because it does not always diminish the risk to the property since it also can make the property less secure. It is reasonable to assume that the directions of Universal Law are necessary to regulate a complete reorganization of the financial status of the diocese or mission territory; normally, however, in refinancing, the local ordinary is best qualified to make these decisions for his own diocese, taking into account the observance of national and state laws, as well as the directives of the National Conference of Bishops.

Recourse to the Holy See, as required by the present legislation in matters of administration and finance, is often not only impractical but can also be a cause of loss of financial gain or income. It can also create a contractual disadvantage as a result of loss of time or of current fluctuating fiduciary trends. Legislation for such emergency administrative acts is necessary to give the local ordinary freedom of action.

Taxation of Church Property

In order to carry out the work of administration and the charitable and social works of the Church, it is necessary for the local administrator to levy taxes against his subjects or income-producing properties or invested stable capital. It is the prerogative of the Holy See to levy such taxes which are necessary for the administration and support of the sacred congregations, the works of charity of the Holy Father, and for world mis-

sions. The universal law of the Church must necessarily legislate for such taxation, just as the ordinary does in his diocese. The universal laws and regulations of the National Conference of Bishops could do well to apportion such taxation according to a percentage of income from properties, taking into consideration the economic conditions of the diocese and state.

In accordance with the teaching of Vatican II, the practice of interdiocesan and interparochial financial support is to be developed, particularly for the needs of mission territories, so that the spiritual goods of the Church may be made available to all.

The present restrictive legislation concerning taxes or assessments is unrealistic and inappropriate for our times. An assessment by the Holy See on each diocese on a percentage basis could be made for the support of the Sacred Congregations and charitable works of the Holy See. Similarly, a single diocesan tax may be levied on parishes and institutional properties to provide for the needs of the diocese, such as charities, seminaries and education, *e.g.*, five per cent of the annual income of a parish.

One pastoral recommendation is that the support of the missions be defined as the responsibility of financially established dioceses and parishes, and removed from the realm of special collections and the free-will offerings of the faithful. The same recommendation could be applied to all apostolic activities.

Recourse to the judgment of the Holy See should be possible to protect either a diocese or a parish against any unjust or unreasonable taxation by a superior

authority for church support. On the other hand, every precaution should be made to protect the rights of the Church and Her properties against any unjust, discriminatory or confiscatory taxation by the civil or state authorities. Such rights should be carefully safeguarded by law.

Church Law and Civil Law

Because of the difference, and often conflict, between the law of the Church and civil law, it is impractical to devise one system of church regulation for the Universal Church and then try to accommodate this juridical system and terminology to the civil law, which often presents an entirely different structure.

In many areas of the Church the statutory regulations of civil law must be followed. Civil law formalities need to be observed in areas such as contracts, constructions, titles, corporations, charters, foundations, trusts, investments, taxation, change of title and mergers. Safeguards should be established to protect the temporalities of the Church, and to guarantee the welfare of the Church in the continuation of Her work in the world as a temporal society. The National Conference of Bishops would seem to be the body of legislators most competent to protect the interest of the Church in each country. Extreme vigilance must be maintained against the encroachments of civil law. At the same time, the legislators should inspire and promote the enactment of civil legislation which would be favorable and would guarantee and maintain the rights of the Church. Thus, the National Conference of Bishops would adjust and coordinate peacefully the law of the Church and civil law.

Council of Administration

In the light of recent conciliar legislation concerning the role of the laity in the Church, the laymen's rights and duties in the matters of the material goods of the Church become important. In order that the ordinary may be relieved of his administrative duties, the skills and talents of the laity should be employed. This will liberate the ordinary or superior of the burden of administrative duties, so that he will be free to pursue his pastoral ministry in the vineyard of the Lord.

It is suggested that the Office of Oeconomus be firmly established in each diocese. Vatican Council II directed the establishment of Episcopal Vicars to assist the ordinary in the administration of his diocese. This office of Episcopal Vicar Oeconomus would be extremely valuable in the field of administration.

It is also recommended that a Council of Administration, consisting of laymen and priests, be founded in each diocese, wherever practical. This council would be well-equipped to assist the ordinary in matters of temporalities of the Church.

Certain qualifications would be necessary for membership in this council. Priests and religious should have special training in matters of administration and finance. Most important is the assistance which skilled, qualified and dedicated laymen can offer this council. Because of his different orientation, the layman is better prepared than the religious in dealing with matters such as finances, investments, contracts, and construction.

The duties of such a council would be those of advisers (not lay trustees) to the ordinary in the normal administration of his diocese. The laymen can

serve well in administration. In finance, they would gather or provide funds for the support of the works of the Church; they could assist in the administration and advise concerning the most desirable investment of these funds in the light of civil law requirements. They also could advise concerning construction of buildings, maintenance, mortgages, and contracts. Careful selection of laymen would assure qualified people to assist the ordinary in the administration of the material goods of the Church.

The administration of material goods of the Church, particularly in financial matters, requires highly technical skills, professional knowledge, and ability in legal and financial analysis. These talents can only be provided by qualified laymen; they are not the duties of the shepherd of souls, whose commission and special preparation is to preach, to teach, to govern and to sanctify.

The control and supervision of such a council to the ordinary should be completely in the administrative hands of the bishop. The controlling power would be that of the bishop and of his diocesan consultors.

It must be remembered that the ideal office of ministry and the ideal office of administration are not coextensive.

Penalties

After a careful study of present legislation, one can conclude that the present provisions of the Code concerning penalties are outdated. For example, it seems impractical that certain acts of alienation of property are legally invalid, and need a sanction from Rome—when such sanction is readily given by filing certain

(Continued on page 353)

CHANGING ECONOMY

(Continued)

formal documents. The laws for the Universal Church can provide certain safeguards and control in the administration of the temporalities of the Church, and the protecting of material goods from mismanagement. In many countries, penalties for such mismanagement are already imposed by civil statutes; these provisions of civil law could easily be incorporated in Church Law on administration.

Conclusion

The suggestions for the revision of the Code of Canon Law are clear. The need

for an updating of the law concerning the temporalities of the Church, and their administration, is evident. There is need for a definition and clarification of terminology of the laws concerning Church goods. The bishops need a definition of jurisdiction in matters of administration. This can be accomplished by apportioning jurisdiction for: (1) The Universal Church; (2) The National Conference of Bishops; (3) The Local Ordinary or Major Superior or Vicar in mission territories. With the emergence of the laymen, the bishops can make greater use of the skills and talents of the laymen who, in modern times, can assist the ordinary in adminis-

trative and financial matters.

Broad laws for the needs of the whole Church, as well as specific regulations and jurisdiction, with particular applications to the needs of each territory, can be delineated in the proposed new law of the Church. These laws can free the ecclesiastical administrator of the burdens of temporal administration, so that he may

more effectively pursue the commission of Christ to preach the Word of God.

Thus modernized legislation for administrative practices, established to safeguard the temporalities of the Church, with proper direction and control, can guarantee and stabilize the welfare of the Church as a visible society founded by Jesus Christ for the salvation of souls.